

## § 101.149

earth station licensee shall also provide all such LMDS licensees with a copy of its channel plan.

[61 FR 26677, May 28, 1996, as amended at 61 FR 29695, June 12, 1996; 61 FR 44183, Aug. 28, 1996; 62 FR 18936, Apr. 17, 1997; 62 FR 23168, Apr. 29, 1997; 62 FR 24583, May 6, 1997; 63 FR 6105, Feb. 6, 1998; 63 FR 9448, Feb. 25, 1998; 63 FR 14039, Mar. 24, 1998; 64 FR 63745, Nov. 22, 1999; 65 FR 17449, Apr. 3, 2000; 65 FR 38330, June 20, 2000; 65 FR 54175, Sept. 7, 2000; 65 FR 59359, Oct. 5, 2000; 66 FR 35110, July 3, 2001; 66 FR 63516, Dec. 7, 2001; 67 FR 43038, June 26, 2002; 68 FR 4958, Jan. 31, 2003; 68 FR 16968, Apr. 8, 2003]

### § 101.149 Special requirements for operation in the band 38,600–40,000 MHz

Assigned frequency channels in the band 38,600–40,000 MHz may be subdivided and used anywhere in the authorized service area, subject to the following terms and conditions:

(a) No interference may be caused to a previously existing station operating in another authorized service area;

(b) Each operating station must have posted a copy of the service area authorization; and

(c) The antenna structure height employed at any location may not exceed the criteria set forth in §17.7 of this chapter unless, in each instance, authorization for use of a specific maximum antenna structure for each location has been obtained from the FAA prior to the erection of the antenna.

### § 101.151 Use of signal boosters.

Private operational-fixed licensees authorized to operate multiple address systems in the 928–929/952–960 MHz and 932–932.5/941–941.5 MHz bands may employ signal boosters at fixed locations in accordance with the following criteria:

(a) The amplified signal is retransmitted only on the exact frequency(ies) of the originating base, fixed, mobile, or portable station(s). The booster will fill in only weak signal areas and cannot extend the system's normal signal coverage area.

(b) Class A narrowband signal boosters must be equipped with automatic gain control circuitry which will limit the total effective radiated power (ERP) of the unit to a maximum of 5 watts under all conditions. Class B

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broadband signal boosters are limited to 5 watts ERP for each authorized frequency that the booster is designed to amplify.

(c) Class A narrowband boosters must meet the out-of-band emission limits of §101.111 for each narrowband channel that the booster is designed to amplify. Class B broadband signal boosters must meet the emission limits of §101.111 for frequencies outside of the booster's design passband.

(d) Class B broadband signal boosters are permitted to be used only in confined or indoor areas such as buildings, tunnels, underground areas, etc., or remote areas, *i.e.*, areas where there is little or no risk of interference to other users.

(e) The licensee is given authority to operate signal boosters without separate authorization from the Commission. Certificated equipment must be employed and the licensee must ensure that all applicable rule requirements are met.

(f) Licensees employing either Class A narrowband or Class B broadband signal boosters as defined in §101.3 are responsible for correcting any harmful interference that the equipment may cause to other systems.

[61 FR 31052, June 19, 1996, as amended at 63 FR 36611, July 7, 1998]

## Subpart D—Operational Requirements

### § 101.201 Station inspection.

The licensee of each station authorized in the radio services included in this part must make the station available for inspection by representatives of the Commission at any reasonable hour.

### § 101.203 Communications concerning safety of life and property.

(a) Handling and transmission of messages concerning the safety of life or property which is in imminent danger must be afforded priority over other messages.

(b) No person may knowingly cause to be transmitted any false or fraudulent message concerning the safety of life or property, or refuse upon demand immediately to relinquish the use of a